UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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UNITED STATES OF AMERICA, Plaintiff, vs. ERIC GRIFFIN, Defendant.	)	Case No. 2:09-cr-0493-RLH-RJJ **O R D E R** (Motion to Recuse–#248)

Before the Court is another of Defendant's *pro se* motions: **Motion for Judge Roger L. Hunt to Recuse Himself From This Matter** (#248, filed December 20, 2011).

The Motion is brought pursuant to 28 U.S.C. §455(a) and lists four reasons (there are actually five, but there are two number 3s) which Defendant justifies recusal. The Court will address each reason in turn.

(1) Judge Hunt is NOT aware that he is being investigated for misconduct by the Ninth Circuit Court of Appeals, and Griffin provides no documents to suggest otherwise.

(2) To Judge Hunt's knowledge, there is no past law suit against him in the Nevada Supreme Court, and Griffin provides no documentation of such a law suit. Even if there had been a law suit by Griffin against Judge Hunt, it is in the past and was obviously unsuccessful.

(3) Judge Hunt is not aware of a civil suit in which both counsel in this matter are co-defendants and Griffin provides no documentary evidence of such, or evidence that such a law suit creates a conflict of interest on the part of Judge Hunt.

(Second #3) Judge Hunt is unacquainted with any Judge Grant. There is no explanation of where, or in which proceeding, Judge Grant will be subpoenaed as a witness, or how that would affect Judge Hunt's ability to preside over *this* case.

(4) The motions Griffin refers to have all been denied. Jason Carr has investigated all allegations and stated facts. And, there is no showing that Jason Carr has been ineffective as counsel nor that he or the Court has committed any "grave misuse of justice authority."

IT IS THEREFORE ORDERED that Griffin's *pro se* **Motion for Judge Roger L. Hunt to Recuse Himself From This Matter** (#248) is DENIED.

Dated: January 4, 2012.

Roger L. Hunt

Roger L. Hunt
United States District Judge